

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRICE HUTTINGER,

Defendant.

**CR-08-39-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on March 3, 2020. (Doc. 112.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 2, 2020. (Doc. 111.) The United States accused Huttinger of violating his conditions of supervised release by using methamphetamine. (Doc. 108.)

At the revocation hearing, Huttinger admitted that he had violated a condition of his supervised release by using methamphetamine. (111.) Judge

Johnston found that Huttinger's violation warranted revocation, and recommended that Huttinger should receive a custodial sentence 4 months of custody, with no supervised release to follow. Huttinger waived his right to allocute before the undersigned and the 14 day right to appeal. (Doc. 111.)

The violations prove serious and warrant revocation of Huttinger supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 112) are **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Defendant Brice Huttinger be incarcerated for a term of 4 months, with no supervised release to follow.

DATED this 3rd day of March, 2020.



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Brian Morris  
United States District Court Judge